(D) REMARKS, including DRAWING AMENDMENTS, if any

RE PARA 1, 2, 3 and 5 OF THE ACTION

Enumerated claims are rejected under Section 103. The applicant appreciates the Examiner's attention to each of the claims in providing distinct and clear rejection allegations. However, all of the rejections are rendered moot in view of the amendments to the pending independent claims wherein the colorant is specifically defined as a "molecular colorant." Contrary to the allegation by the Examiner at Page 3 of the Action, last two lines, and elsewhere that "...Vincent teaches the colorant further comprising: molecules that exhibit an electric field induced band gap change (col. 3, Line [sic, no number provided]]to Col. 4, Line 13).," there is only a description in the Vincent '955 patent of "microencapsulated colorant." That type of colorant is very different from the "molecular colorant" described and claimed in the present application and its hard copy Appendix and is fully distinguished in the Background section.

A dependent claim includes all the limitations of the claim from which it depends and, as such, makes specific that which was general. 35 USC 112; 37 C.F.R. Sec. 1.75(c); Allen Group, Inc. V. Nu-Star, Inc., 197 USPQ 849 (7th Cir. 1978); Ex parte Hansen, 99 USPQ 319 (Pat. Off. Bd. App. 1953). Dependent claims are non-obvious if the independent claims from which they depend are non-obvious. In re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988); *see also* Hartness International, Inc. V. Simplimatic Engineering Co., 2 USPQ2d 1826, 1831 (Fed. Cir. (1987) to the same effect re novelty). Thus, allowance of a base claim as patentable normally results in allowance of a claim dependent upon that claim.

It is respectfully requested that the rejections be withdrawn.

RE PARA. 4 and 6 OF THE ACTION

Again, the rejection must fail as with respect to the distinction which must be made between the "molecular colorant" of the present application and the "microencapsulated colorant" of the prior art.

Moreover, the Action cites and relies on U.S. Pat. No. 6,579,742 (Chen). Chen '742 was filed by and is owned by the common assignee Hewlett-Packard. The reel/frame number for the Assignment of the present application is 012650/0734, recorded 02/27/02. The reel/frame number of the Chen '742 Assignment is 012230/0833. Related Pat. No. 6,045,955 has an Assignment at reel/frame number 008921/0649.

Furthermore, Chen '742 was filed Sept. 26, 2001, and is a Continuation of Chen '740 (U.S. Pat. No. 6,432,740 filed June 28, 2001). The present invention was filed Oct. 16, 2001.

Chen is not a proper reference under Sec. 102 nor Sec. 103.

It is respectfully requested that the rejections be withdrawn.

RE PARA. 7-10 OF THE ACTION

No response required.

Based upon the foregoing, it is submitted that the application now presents claims which are directed to novel, unobvious and distinct features of the present invention which are an advancement to the state of the art. Reconsideration and early allowance of all claims is respectfully requested. The right is expressly reserved to reassert any and all

arguments, including the raising of new arguments, should a Notice of Allowance not be forthcoming.

Questions or suggestions that will advance the case to allowance may be directed to the undersigned by teleconference at the Examiner's convenience.

Date: 10/30/2003

Respectfully submitted,
Hewlett-Packard Company

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